

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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In re:

PROMESA

Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, et al.,

No. 17 BK 3283-LTS

(Jointly Administered)

Debtors.¹
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ORDER

This matter is before the Court on the *Motion for Joinder of Assured Guaranty Corp., Assured Guaranty Municipal Corp., National Public Finance Guarantee Corporation, The Ad Hoc Group of PREPA Bondholders, Syncora Guarantee Inc., and U.S. Bank National Association, in its Capacity as PREPA Bond Trustee to Motion to Compel Compliance with February 26, 2018 Order and for Entry of a Protective Order of Ad Hoc Group of General Obligation Bondholders, Ambac Assurance Corporation, Assured Guaranty Corp., Assured Guaranty Municipal Corp., The Mutual Fund Group, and National Public Finance Guarantee Corporation (Dkt. No. 2948)* (the “Motion”)

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

related to the *Motion to Compel Compliance with February 26, 2018 Order and for Entry of a Protective Order of Ad Hoc Group of General Obligation Bondholders, Ambac Assurance Corporation, Assured Guaranty Corp., Assured Guaranty Municipal Corp., The Mutual Fund Group, and National Public Finance Guarantee Corporation (Dkt. No. 2865)* (the “Motion to Compel”).

The Court has reviewed the submissions by the parties and hereby rules that the Motion was filed improperly as a motion for joinder given that the Puerto Rico Electric Power Authority (“PREPA”) is not a party to the Motion to Compel’s underlying 2004 requests and was not a party to the related meet-and-confer process. However, the Court recognizes the overlap between the Motion and the Motion to Compel in both other parties and arguments. The Court is also mindful of the judicial economy realized by hearing the two motions together. Therefore, the Court will still hear the Motion in connection with the Motion to Compel on **May 21, 2018 at 1:30 p.m. Atlantic Standard Time** in Boston, Massachusetts. The Court will, however, treat the Motion as a separate motion to compel documents in case 17-BK-4780, the Title III case for PREPA. The Court will consider PREPA’s opposition to the merits of the Motion and the Movants’ reply thereto. Accordingly, no further briefing on the Motion is required or permitted.

SO ORDERED.

/s/ Judith Gail Dein
Judith Gail Dein
United States Magistrate Judge

DATED: May 15, 2018